

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**CAROLYN PLACHT, on behalf of the
Symbria Inc. Employee Stock Ownership
Plan and on behalf of a class of all other
persons similarly situated,**

Plaintiff,

v.

**ARGENT TRUST COMPANY,
JILL KRUEGER,
THOMAS NOESEN, JR.,
JOHN R. CALLEN,
CENTRAL BAPTIST VILLAGE,
COVENANT RETIREMENT
COMMUNITIES, INC.,
FRANCISCAN SISTERS OF CHICAGO
SERVICE CORPORATION,
LIFELINK CORPORATION,
LUTHERAN HOME AND SERVICES
FOR THE AGED, INC.,
MATHER LIFEWAYS,
NORWEGIAN LUTHERAN BETHESDA
HOME ASSOCIATION,
NORWOOD LIFE CARE FOUNDATION,
FRIENDSHIP SENIOR OPTIONS, NFP,
REST HAVEN ILLIANA CHRISTIAN
CONVALESCENT HOME,
ST. PAULS HOUSE & HEALTHCARE
CENTER, and
UNITED METHODIST HOMES &
SERVICES,**

Defendants.

Case No. 1:21-cv-05783

Hon. Ronald A. Guzman

Hon. Beth W. Jantz

JOINT STATUS REPORT ON DISCOVERY

In accordance with the Court's July 25, 2022 minute entry (Dkt. 70), Plaintiff Carolyn Placht, on behalf of the Symbria Inc. Employee Stock Ownership Plan, and similarly situated

participants in the Plan and their beneficiaries (“Plaintiff”), and Defendants Argent Trust Company (“Argent”), Jill Krueger (“Krueger”), Thomas Noesen, Jr. (“Noesen”), and John R. Callen (“Callen”), submit the following joint status report with scheduled deposition dates:

Deponent	Date	Party Requesting Deposition
Carolyn Placht	October 7, 2022	Defendants
Rule 30(b)(6) of Prairie Capital Advisors	October 17, 2022	Plaintiff (with time allocated to Defendants)
Defendant Jill Krueger (potentially including Rule 30(b)(6) of Symbria, Inc.)	October 26, 2022	Plaintiff (with time allocated to Defendants)
Rule 30(b)(6) of Houlihan Lokey	November 3, 2022	Plaintiff (with time allocated to Defendants)
Rule 30(b)(6) of Stout Risius Ross	November 4, 2022	Plaintiff (with time allocated to Defendants)
Defendant Tom Noesen (potentially including Rule 30(b)(6) of Symbria, Inc.)	November 16, 2022	Plaintiff (with time allocated to Defendants)
Rule 30(b)(6) of Verit Advisors	November 30, 2022	Plaintiff (with time allocated to Defendants)
Defendant John Callen	December 1, 2022	Plaintiff (with time allocated to Defendants)
Rule 30(b)(6) of Pendo Advisors	December 2, 2022	Plaintiff (with time allocated to Defendants)
Rule 30(b)(6) of Defendant Argent Trust Company	December 5, 2022	Plaintiff (with time allocated to co-Defendants)
A representative of Fifth Third Bank	[TBD, see below]	Defendants (with time allocated to Plaintiff)
A representative of the Symbria ESOP Steering Committee	[Will occur before December 5, 2022, see below]	Plaintiffs/Defendants

Defendant Argent Trust Company requests permission to serve a narrow third party subpoena on Fifth Third Bank (“the Bank”) requesting the Bank’s internal analysis supporting its decision to loan Symbria money to facilitate the ESOP Transaction. Materials produced during fact discovery show that litigation that was filed in July 2015 raised questions pertaining to the impact the loan in question would have on Symbria’s operations. Fifth Third Bank’s internal analysis would be expected to show its independent business conclusions on the points raised, as

the third party that was placing its own money at potential risk. A narrow subpoena is an efficient means of obtaining this information and may avoid the need to obtain it by deposition. Should a review of those records require a short follow-up deposition of Fifth Third Bank, Defendants will work promptly and cooperatively with Plaintiff to schedule it prior to the close of fact discovery. Plaintiff does not oppose this request.

Plaintiff and Defendants both wish to take a deposition of a representative member of the Symbria, Inc. board of directors ESOP Steering Committee. The Parties will work cooperatively to identify the appropriate deponent, and will schedule the deposition to take place before the close of fact discovery.

Dated: September 1, 2022

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of September 2022, a copy of the foregoing document was served on all counsel of record via ECF.

/s/ Patrick O. Muench
Patrick O. Muench